

## REMARKS

Please cancel Claims 3, 4, 9, 11, 16 and 18 without prejudice. Claims 1, 2, 5-8, 10, 12-15, 17 and 19 are pending. Claims 1, 2, 8, 10, 15 and 17 are amended herein.

Applicant respectfully disagrees with the statements on page 5 of the instant Office Action in which the Abstract of the Disclosure is used as an example to demonstrate that, according to the Office Action, "it is well known in the art to obtain direction of travel as well as positional information from a positioning device such as a Global Positioning System." It is a well-established principle that a *prima facie* case of obviousness should be based on the prior art and not based on Applicant's disclosure.

### 102 Rejections

Claims 1, 2, 5-8, 10, 12-15, 17 and 19 are rejected under 35 U.S.C. § 102(b) as being anticipated by Cohen (US 6,060,993). The Applicant has reviewed the cited reference and respectfully submits that the present invention as recited in Claims 1, 2, 5-8, 10, 12-15, 17 and 19 is neither anticipated nor rendered obvious by Cohen.

Independent Claim 1 recites that an embodiment of the present invention is directed to a "vehicle comprising ... an integrated position and direction system that resides on board said vehicle and that is adapted to determine a position and a direction of travel of said vehicle, said integrated position and direction system comprising: a digital compass adapted to determine said direction of travel using Global Positioning System (GPS) information; a satellite positioning system adapted to determine said position using said GPS information; and a controller

coupled to said digital compass and to said satellite positioning system." Claims 2 and 5-7 are dependent on Claim 1 and recite additional limitations.

Independent Claim 8 recites that an embodiment of the present invention is directed to a "method comprising ... determining a position and a direction of travel of a mobile vehicle using an integrated position and direction determination system that resides on board said vehicle and that analyzes satellite-broadcast position determining signals, wherein said integrated position and direction determination system comprises a digital compass for determining said direction of travel using said satellite-broadcast position determining signals and a satellite positioning system for determining said position using said satellite-broadcast position determining signals." Claims 10 and 12-14 are dependent on Claim 8 and recite additional limitations.

Independent Claim 15 recites that an embodiment of the present invention is directed to a "method comprising ... selecting an item of said content according to both a position and a direction of travel of said mobile vehicle ..., said position and said direction of travel determined using an integrated position and direction determination system that resides on board said vehicle and that analyzes satellite-broadcast position determining signals, wherein said integrated position and direction determination system comprises a digital compass for determining said direction of travel using said satellite-broadcast position determining signals and a satellite positioning system for determining said position using said satellite-broadcast position determining signals." Claims 17 and 19 are dependent on Claim 15 and recite additional limitations.

Applicant respectfully submits that Cohen does not show or suggest the present claimed invention as recited in independent Claims 1, 8 and 15. Applicant respectfully submits that Cohen does not show or suggest an integrated position direction and direction determination system that includes both a satellite positioning system and a digital compass as recited in the claims. Applicant respectfully agrees with the statement on page 4 of the instant Office Action, to the effect that Cohen does not disclose the use of a digital compass. Furthermore, Applicant respectfully submits that Cohen does not show or suggest such an integrated position and direction determination system being used as the basis for selecting content as recited in the claims.

Therefore, Applicant respectfully submits that Cohen does not show or suggest the present claimed invention as recited in independent Claims 1, 8 and 15, and that these claims are in condition for allowance. As such, Applicant respectfully submits that Cohen also does not show or suggest the present claimed invention as recited in Claims 2, 5-7, 10, 12-14, 17 and 19 dependent on Claims 1, 8 or 15, and that Claims 2, 5-7, 10, 12-14, 17 and 19 are also in condition for allowance as being dependent on allowable base claims. Accordingly, Applicant respectfully submits that the basis for rejecting Claims 1, 2, 5-8, 10, 12-15, 17 and 19 under 35 U.S.C. § 102(b) is traversed.

#### 103 Rejections

Claims 4 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Cohen in view of Polyakov (US 2002/0052841). Claims 4 and 11 are canceled herein, and so a discussion of these claims is rendered moot. However, in light of

the amendments to Claims 1 and 8 (upon which Claims 4 and 11 had depended), the combination of Cohen and Polyakov is discussed below.

As mentioned above, Applicant respectfully agrees with the statement on page 4 of the instant Office Action, to the effect that Cohen does not disclose the use of a digital compass, which is recited in independent Claims 1 and 8. The Polyakov reference is used for disclosing the use of a digital compass.

However, Applicant respectfully submits that Polyakov (alone or in combination with Cohen) does not show or suggest a digital compass. In fact, the word “digital” does not even appear in Polyakov.

Without the showing or suggestion of a digital compass, Applicant respectfully submits that Polyakov (alone or in combination with Cohen) does not show or suggest a digital compass integrated with a satellite positioning system on board a mobile vehicle, and that Polyakov (alone or in combination with Cohen) does not show or suggest an integrated position and direction determination system that includes a digital compass being used as the basis for selecting content.

### Conclusions

In light of the above remarks, reconsideration of the rejected claims is respectfully requested.

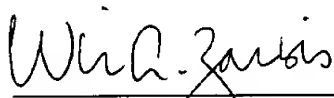
Based on the arguments presented above, it is respectfully asserted that Claims 1, 2, 5-8, 10, 12-15, 17 and 19 overcome the rejections of record and, therefore, allowance of these claims is respectfully solicited.

The Applicant has reviewed the references cited but not relied upon. The Applicant did not find these references to show or suggest the present claimed invention: US 6,414,602 and US 6,366,856.

The Examiner is invited to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,  
WAGNER, MURABITO & HAO LLP

Date: 5/19/04



William A. Zaybis  
Reg. No. 46,120

Two North Market Street  
Third Floor  
San Jose, California 95113  
(408) 938-9060